

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMIE HUGHES,

Plaintiff,

No. 04-CV-73752-DT

vs.

Hon. Gerald E. Rosen

THE MAY DEPARTMENT STORES CO.,
d/b/a LORD & TAYLOR, et al.,

Defendants.

ORDER DENYING PLAINTIFF'S RENEWED
MOTION TO REMAND

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on March 14, 2006

PRESENT: Honorable Gerald E. Rosen
United States District Judge

This matter is presently before the Court on Plaintiff's post-judgment "Renewed Motion for Remand." The Court entered an Opinion and Order granting Defendants' Motion for Summary Judgment and entered Judgment in favor of Defendants on March 8, 2005 in this Fair Debt Collection Practices Act claim. Ten days later, Plaintiff filed the instant Motion to Remand seeking to remand the case to state court. Notwithstanding that there is nothing left of this case to remand inasmuch as Judgment has been entered disposing of the case in its entirety, there is no factual basis for Plaintiff's motion.

This case was *NOT* a case removed from state court. Rather, Plaintiff filed his original complaint in *THIS* Court, *not* in state court. A case originally filed in federal court

cannot be “remanded” to another court. The Court is aware that Plaintiff has filed a number of complaints -- some originally filed in this Court and others filed in the state courts and subsequently removed to federal court -- all arising out of, or substantially related to, the events giving rise to the instant action. But none of those actions provide any basis for the remand of *this* case.¹

For all of these reasons,

IT IS HEREBY ORDERED that Plaintiff’s Renewed Motion for Remand is
DENIED.

s/Gerald E. Rosen
Gerald E. Rosen
United States District Judge

Dated: March 14, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 14, 2006, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Case Manager

¹ This case, as well as another related Fair Debt Collection Practices Act case, *Bezil Taylor v. The May Department Stores Co.*, No. 04-73754, were originally filed in federal court. The Court granted the Defendants’ Motions for Summary Judgment in both of these cases on March 8, 2005, and these two cases were, accordingly, dismissed, with prejudice. Plaintiff’s counsel also filed two cases in Wayne County Circuit Court alleging only state law claims -- one on behalf of Plaintiff Hughes and one on behalf of Bezil Taylor -- which were removed to this Court. *See Hughes v. The May Department Stores Co.*, No., 04-74800, and *Taylor v. The May Department Stores Co.*, No. 04-75090. However, on April 29, 2005, the Court determined that federal court jurisdiction was lacking and remanded both of these cases to state court. To the extent that Plaintiff’s counsel intended to file his Renewed Motion to Remand in one of these removed actions, the motion is moot as the relief requested has already been granted.